



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER  
ORDER

APPLICATION 6262

PERMIT 3303

LICENSE 2005

ORDER ALLOWING CORRECTION OF DESCRIPTION OF  
POINT OF DIVERSION.


Licensee having established to the satisfaction of the State Engineer that the correction of description of point of diversion under Application 6262, Permit 3303, License 2005 for which petition was submitted on December 19, 1946 will not operate to the injury of any other legal user of water, the State Engineer so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the description of point of diversion under said Application 6262, Permit 3303, License 2005 to read as follows to-wit:

NORTH 34° 24' 30" WEST 2300.34 FEET FROM THE  
S.E. CORNER OF SECTION 33, T 8 N, R 16 E.  
M.D.B.&M., BEING WITHIN THE NW 1/4 OF SE 1/4  
OF SAID SECTION 33.

WITNESS my hand and the seal of the Department of Public Works of the State of California this seventh day of January, 1947.



  
Edward Hyatt, State Engineer



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
**DIVISION OF WATER RESOURCES**  
**STATE ENGINEER**

**ORDER** NO. 12

APPLICATION \_\_\_\_\_

PERMIT \_\_\_\_\_

LICENSE \_\_\_\_\_

Applications	2100, 2534, 2548, 2751, 2996, 5161, 5240, 6032, 6262, 6737, 6738
Permits	2100, 3188, 2101, 3189, 2102, 3190, 3191, 3452, 3303, 4100, 4101
Licenses	1916 1917 2005 1918

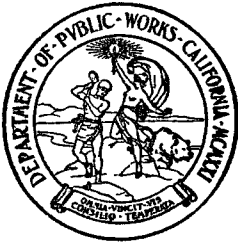
ORDER DECLARING A SINGLE ENTERPRISE AND UNIT  
UNDER SECTION 1475 OF THE STATE WATER CODE.

WHEREAS, Pacific Gas and Electric Company has heretofore filed with the Department of Public Works, acting by and through the State Engineer, and/or its predecessor or predecessors in authority Applications 2100, 2534, 2548, 2751, 2996, 5161, 5240, 6032, 6262, 6737 and 6738 for permits to appropriate and store waters of North Fork of Mokelumne River, Bear River, Cold (or Cole) Creek, Beaver Creek, East and West Panther Creeks and Tiger Creek; and

WHEREAS, the said Department of Public Works has approved said applications and has granted to the said Company Permits 2100, 3188, 2101, 3189, 2102, 3190, 3191, 3452, 3303, 4100 and 4101 and Licenses 1916, 1917, 1918 and 2005, authorizing the appropriation and storage of said waters; and

WHEREAS, the said Company has represented to the said Department of Public Works that the reservoirs described in said applications, permits and licenses have been surveyed and laid out, and are to be constructed, for the storage of water for a system, and that said waters are to be used at one or more points under the said approved applications, permits and licenses for the appropriation of water and that said permits and licenses for the appropriation of water and rights thereunder and the reservoir sites are now held and controlled by the said Company; and

WHEREAS, the said Company has requested the said Department of Public Works to declare such reservoirs and appropriations and rights to constitute a single enterprise and unit in accordance with Section 1475 of the State Water Code; and



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

ORDER No. 12 (Cont'd.)

APPLICATION \_\_\_\_\_

PERMIT \_\_\_\_\_

LICENSE \_\_\_\_\_

WHEREAS, it appears to the said Department of Public Works after due investigation that the said Company has surveyed and laid out, and proposes to construct, the said reservoirs, described in said applications, permits and licenses, for the storage of water for a system, and that the waters are to be used at one or more points under the said permits and licenses for the appropriation of water issued to the said Company as aforesaid, and that the said permits and licenses for the appropriation of water and rights thereunder and the reservoir sites are now held and controlled by the said Company,

NOW THEREFORE, by virtue of the authority vested by Section 1475 of the State Water Code, it is hereby declared and ordered that the said reservoirs and appropriations and rights thereunder do constitute a single enterprise and unit, and it is further declared and ordered that work of constructing said reservoirs, or any of them or work on any one or more of said appropriations shall in the discretion of the said Department of Public Works be sufficient to maintain and preserve all of said applications, permits and licenses for the appropriation of water and rights thereunder; provided, that the construction work described in said applications shall begin and be completed and the beneficial use of the waters to be appropriated as provided therein shall be completed in accordance with the following schedule:

SCHEDULE OF DEVELOPMENT

<u>Unit</u>	<u>Applications</u>	<u>Commenced</u>	<u>Construction</u> <u>Recommence</u> <u>on or before</u>	<u>Complete</u> <u>on or before</u>
Bear River	6032	June, 1926	January 1, 1949	Dec. 31, 1953
Salt Springs	6262	June, 1926	-----	Aug. 1931
Tiger Creek	2100, 2548, 5161, 5240, 6032, 6262, 6737 and 6738	June, 1926	-----	Aug. 1931



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

ORDER No. 12 (Cont'd.)

APPLICATION \_\_\_\_\_

PERMIT \_\_\_\_\_

LICENSE \_\_\_\_\_

<u>Unit</u>	<u>Applications</u>	<u>Commenced</u>	<u>Construction</u> <u>Recommence</u> <u>on or before</u>	<u>Complete</u> <u>on or before</u>
West Point	2534, 2751, 2996, 6032 and 6737	June, 1926	April 1, 1947	Dec. 31, 1948
Electra	2534, 2751, 2996, 6032 and 6737	June, 1926	April 1, 1947	Dec. 31, 1948
Raise Salt Springs Dam	2751 and 5161	October, 1946	_____	Dec. 31, 1947

Complete beneficial use of water on or before December 1, 1954.

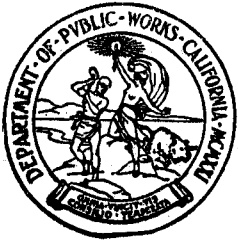
WITNESS my hand and the seal of the Department of Public Works of the  
State of California this 7th day of January, 1947.

DEPARTMENT OF PUBLIC WORKS

By \_\_\_\_\_

Edward Hyatt, State Engineer.





STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES

## License for Diversion and Use of Water

LICENSE 2005

PERMIT 3303

APPLICATION 6262

THIS IS TO CERTIFY, That Pacific Gas and Electric Company, 245 Market Street, San Francisco, California,

has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of the natural and regulated and/or augmented flow of North Fork of Mokelumne River in Amador County

tributary of Mokelumne River

for the purpose of power use

under Permit 3303 of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from April 20, 1929;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed five hundred fifty (550) cubic feet per second from January 1st to December 31st of each season.

The total amount of water diverted under this license together with that diverted simultaneously under Application 2100, License 1916, and Application 5240, Permit 3191, shall not exceed 550 cubic feet per second.

The amount of water diverted under this license together with that diverted simultaneously under Application 2100, License 1916, Application 2548, License 1917, Application 5161, Permit 3190, Application 5240, Permit 3191, Application 6032, Permit 3452, Application 6737, Permit 4100 and Application 6738, License 1918, for beneficial use through Tiger Creek Hydro Electric Plant shall not exceed six hundred twenty-five (625) cubic feet per second.

The point of diversion of such water is located North twenty-nine degrees, fifty-six minutes and forty seconds West (N. 29° 56' 40" W.) twenty one hundred seventy-seven and sixty-six hundredths (2177.66) feet from the southeast corner of Section 33, T 8 N, R 16 E, M.D.B.&M. being within the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 33.

Amended by order of 1-7-41

A description of the lands or the place where such water is put to beneficial use is as follows:

- (1) At Salt Springs Power House within the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 33, T 8 N, R 16 E, M.D.B.&M.
- (2) At Tiger Creek Power House within the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 24, T 7 N, R 13 E, M.D.B.&M.

After use for power purposes the water will be returned to the North Fork of Mokelumne River within the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 24, T 7 N, R 13 E, M.D.B.&M.

This license is issued subject to the express condition that the priority of any right hereunder established shall be subject to the priority of any right that may hereafter be established pursuant to prior Application 5647 filed by the Department of Finance under authority of Chapter 286, Statutes of California, 1927 and subject to the further condition that development and use may hereafter be made pursuant to said prior Application 5647 and any permit or license issued thereon, to the same extent as if this license had not been issued and entirely free of any restriction on account of any right under this license established by licensee.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Division of Water Resources.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes of 1913, as amended, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided*, that at any time after the expiration of twenty years after the granting of a license, the state or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee, or licensee, or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however*, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and *providing, further*, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and *providing, further*, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and *providing, further*, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public  
Works of the State of California, this 26th  
day of February, 1940.

EDWARD HYATT  
State Engineer

By Harold Conkling  
Deputy



LICENSE 2005

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Pacific Gas & Electric Company

DATED February 26, 1940